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UNIVERSITY OF TORONTO
FACULTY OF LAW

INTRODUCTION TO THE CANADIAN LEGAL SYSTEM
INTENSIVE COURSE

Professor Jutta Brunnée

August 29 – August 31, 2011

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Introduction to the Canadian Legal System

August 29 – 31, 2011

(Room: FLA)

The course provides law students trained in foreign legal systems with an overview of the Canadian Legal System (including sources of legal authority, separation of powers, levels of government, organization of the Courts and Tribunals and the main categories of the Canadian legal system). It proceeds as follows:

Monday August 29

10.00 - 12.00 Jutta Brunnée, General Introduction to the Canadian Legal Order
2.00 - 4.00 Stephen Waddams, Private Law & Common Law Reasoning

Tuesday August 30

10.00 - 12.00 David Schneiderman, Canadian Federalism
2.00 - 4.00 Lorraine Weinrib, The Canadian Charter of Rights and Freedoms

Wednesday August 31

10.00 - 12.00 Lisa Austin, Property Law
2.00 - 4.00 Douglas Sanderson, Aboriginal Law

Evaluation: One written assignment, which should be no longer than 10-12 double spaced pages or about 3000 words. You must hand in your assignment by 6.00 p.m, Friday, 17th September. Please e-mail your assignment to me at jutta.brunnee@utoronto.ca, named as follows: If your name is Smith, call the document “smithintro.doc”. (*Please note that GPLLM students are taking this course on an audit, non-credit basis and do not have to complete this assignment.)

The topic for the assignment is as follows: Chose any one of the cases discussed and say whether you think the judges are making up the law as they go along, discovering it, or doing something more constrained than making it up but more creative than discovery.

I advise you against doing any outside reading for this assignment. I want to see your ability to make sense of the cases. For referencing material used from the course book, you need only put page numbers in brackets in the text. For example: “most judges view their role as falling somewhere between these extremes” (Tab 1, 12).

If you do use any outside material, including material from the Internet, please make sure that you use quotations marks for text you adopt directly and that you cite fully all your sources. Failure to do this will in this course or any other will result in suspicion of cheating or plagiarism. Note that it does not matter whether the work is in draft form or a final version. All work submitted for comment or for evaluation must be properly referenced. If the suspicion of plagiarism proves justified, it is the duty of the instructor to lay a formal charge with the Dean of the School of Graduate Studies. I regret bringing this issue to your attention, but a series of unhappy experiences means that I prefer to err on the side of caution when it comes to this issue.

